

*In 2015, Timor-Leste made a moderate advancement in efforts to eliminate the worst forms of child labor. The Secretariat of State for Professional Training and Employment Policy significantly increased the number of labor inspections conducted throughout the country, from 10 inspections in 2014 to 991 in 2015. In addition, the Government released the results of the second Timor-Leste Integrated Labor Force Survey, which included data on child labor for the first time. With technical support from the International Labor Organization, the Government engaged in the design of a national child labor and forced labor survey that will provide detailed information on the prevalence and nature of these issues in Timor-Leste. However, children in Timor-Leste are engaged in child labor, including in agriculture. Although the National Commission against Child Labor drafted a decree-law specifying the occupations and activities prohibited for children, the decree-law has not yet been enacted, leaving children vulnerable to engagement in hazardous work. Limited financial and human resources make it challenging for inspectors and investigators to enforce laws related to the worst forms of child labor, especially in more remote areas of the country.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Timor-Leste are engaged in child labor, including in agriculture.(1-3) Table 1 provides key indicators on children's work and education in Timor-Leste.

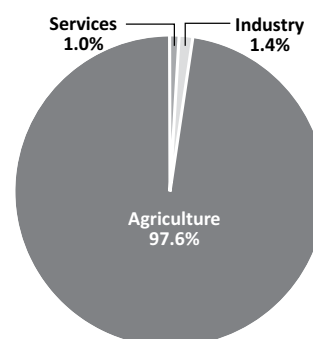
**Table 1. Statistics on Children's Work and Education**

| Children                      | Age        | Percent       |
|-------------------------------|------------|---------------|
| Working (% and population)    | 10-14 yrs. | 19.9 (26,268) |
| Attending School (%)          | 5-14 yrs.  | 69.7          |
| Combining Work and School (%) | 10-14 yrs. | 12.6          |
| Primary Completion Rate (%)   |            | 98.4          |

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2015.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Timor-Leste Survey of Living Standards, 2007.(5)

**Figure 1. Working Children by Sector, Ages 10-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

| Sector/Industry                         | Activity  |
|---|---|
| Agriculture                             | Cultivating and processing coffee* (1-3)  |
|   | Growing vegetables and other crops (6)  |
|   | Fishing,* including working on boats* and repairing nets* (1-3)   |
| Industry                                | Construction,* including brickmaking* (1, 2)  |
|   | Operating weaving and knitting machines (6)   |
| Services                                | Domestic work* (1, 2)   |
|   | Street work, including vending, begging,* and scavenging* (1-3, 7, 8)   |
|   | Shop keeping and selling goods in markets (6)   |
| Categorical Worst Forms of Child Labor† | Commercial sexual exploitation* and forced domestic* and agricultural work,* each sometimes as a result of human trafficking* (1, 3, 9, 10) |

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

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In Timor-Leste, some girls are trafficked from rural areas to the capital city, Dili, and subjected to commercial sexual exploitation or forced domestic work.(9) In a few cases, Timorese families have placed their children in bonded domestic work and agricultural labor to settle outstanding debts.(9, 10) There is also limited evidence that girls are trafficked transnationally to Indonesia for labor exploitation.(10-12)

In April 2015, the Ministry of Finance and the Secretariat of State for Vocational Training, Policy and Employment released the results of the second Timor-Leste Integrated Labor Force Survey.(13) The survey provides information on several social and economic indicators and, for the first time, includes limited data on child labor.(6, 14)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Timor-Leste has ratified most key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

| Convention   | Ratification |
|--|--------------|
|  ILO C. 138, Minimum Age                    |              |
| ILO C. 182, Worst Forms of Child Labor   | ✓            |
|  UN CRC                                     | ✓            |
| UN CRC Optional Protocol on Armed Conflict   | ✓            |
| UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography                                   | ✓            |
|  Palermo Protocol on Trafficking in Persons | ✓            |

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

| Standard  | Yes/No | Age | Related Legislation   |
|---|--------|-----|---|
| Minimum Age for Work  | Yes    | 15  | Article 68 of the Labour Code (15)  |
| Minimum Age for Hazardous Work                                  | Yes    | 17  | Article 67 of the Labour Code (15)  |
| Prohibition of Hazardous Occupations or Activities for Children | No     |     |   |
| Prohibition of Forced Labor                                     | Yes    |     | Article 81 of the Immigration and Asylum Act; Articles 155, 162, 163, and 166 of the Penal Code; Articles 8 and 67 of the Labour Code (15-17) |
| Prohibition of Child Trafficking                                | Yes    |     | Article 81 of the Immigration and Asylum Act; Articles 162–164 and 166 of the Penal Code; Article 67 of the Labour Code (15-17)               |
| Prohibition of Commercial Sexual Exploitation of Children       | Yes    |     | Articles 155 and 174–176 of the Penal Code; Article 67 of the Labour Code (15, 17)  |
| Prohibition of Using Children in Illicit Activities             | Yes    |     | Article 67 of the Labour Code; Article 155 of the Penal Code (15, 17)   |
| Minimum Age for Compulsory Military Recruitment                 | Yes    | 18  | Article 14 of the Law on Military Service (18)  |
| Minimum Age for Voluntary Military Service                      | Yes    | 18  | Article 17 of the Law on Military Service (18)  |
| Compulsory Education Age  | Yes    | 16  | Article 11 of the Education System Framework Law (19)   |
| Free Public Education   | Yes    |     | Section 59 of the Constitution of the Democratic Republic of Timor-Leste; Article 11 of the Education System Framework Law (19, 20)           |

During the reporting period, the National Commission against Child Labor (NCCL) drafted a decree-law for the adoption of a list of hazardous occupations and activities prohibited for children. The decree-law is awaiting approval by the Council of

Ministers.(21, 22) In its current state, the legal framework in Timor-Leste is not completely consistent with international standards regarding hazardous child labor. While the Timorese Labour Code does prohibit children from involvement in hazardous work likely to jeopardize their health, safety, and morals, the law does not specify the types of hazardous work prohibited for children.(15) The Labour Code and the Penal Code both define a minor as a person less than age 17.(15, 17) This standard leaves 17-year-old children vulnerable to involvement in hazardous work and other worst forms of child labor. In addition, the Labour Code specifies the conditions under which children ages 13 to 15 may be permitted to perform light work and limits the number of hours for light work, but it does not indicate which specific activities qualify as light work.(15)

In 2015, parliamentary approval was still pending for legislation against human trafficking that was originally drafted in 2012.(11, 23-25) The proposed law seeks to rationalize the country's disparate legal provisions that define and prescribe penalties for the crime of human trafficking.(11, 14)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

| Organization/Agency  | Role   |
|--|--|
| The Secretariat of State for Professional Training and Employment Policy (SEPFPOE) | Enforce laws related to child labor. Administer the General Labor Inspectorate Directorate, which is responsible for investigating incidents of forced labor.(1)   |
| Timor-Leste National Police (PNTL)   | Enforce criminal laws against forced labor, commercial sexual exploitation, and human trafficking. Includes the Vulnerable Persons Unit, the Immigration Police, and the Border Police.(1)   |
| The Ministry of Social Solidarity (MSS)  | Enforce laws related to child labor. Receive referrals from agencies responsible for conducting child labor investigations and provide child victims with appropriate support services.(1) Maintain at least one technical officer in each of the country's 13 districts and two child protection officers in each of the 65 subdistricts, all trained to follow the Government's standard operating procedures.(11, 25, 26) |

#### *Labor Law Enforcement*

In 2015, labor law enforcement agencies in Timor-Leste took actions to combat child labor, including its worst forms (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

| Overview of Labor Law Enforcement                                 | 2014           | 2015           |
|---|----------------|----------------|
| Labor Inspectorate Funding  | \$518,600 (22) | \$369,500 (22) |
| Number of Labor Inspectors  | 22 (14)        | 22 (22)        |
| Number of Child Labor Dedicated Inspectors                        | 4 (14)         | 4 (22)         |
| Inspectorate Authorized to Assess Penalties                       | Yes (14)       | Yes (22)       |
| Training for Labor Inspectors                                     |                |                |
| ■ Initial Training for New Employees                              | Yes (22)       | Yes (22)       |
| ■ Training on New Laws Related to Child Labor                     | N/A            | N/A            |
| ■ Refresher Courses Provided                                      | No (22)        | Yes (22)       |
| Number of Labor Inspections                                       | 10 (14)        | 991† (22)      |
| ■ Number Conducted at Worksite                                    | Unknown (22)   | Unknown (22)   |
| ■ Number Conducted by Desk Reviews                                | Unknown (22)   | Unknown (22)   |
| Number of Child Labor Violations Found                            | 0 (14)         | 0 (22)         |
| Number of Child Labor Violations for Which Penalties Were Imposed | N/A            | N/A            |
| ■ Number of Penalties Imposed That Were Collected                 | N/A            | N/A            |
| Routine Inspections Conducted                                     | Yes (14)       | Yes (22)       |
| ■ Routine Inspections Targeted                                    | Yes (22)       | Yes (22)       |
| Unannounced Inspections Permitted                                 | Yes (14)       | Yes (22)       |
| Unannounced Inspections Conducted                                 | Yes (14)       | Yes (22)       |
| Complaint Mechanism Exists  | Yes (22)       | Yes (22)       |

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**Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)**

| Overview of Labor Law Enforcement  | 2014            | 2015     |
|--|-----------------|----------|
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (1, 14, 26) | Yes (22) |

† Data are from January 1, 2015 to October 31, 2015.

The Secretariat of State for Professional Training and Employment Policy (SEPFOPE) lacks the financial and human resources necessary to effectively enforce child labor laws throughout the country. In 2015, the budget allocated for the labor inspectorate decreased, and the both the ILO and SEPFOPE noted that the number of inspectors is insufficient.(14, 22, 27) The majority of inspectors are based in Dili, and, therefore, inadequate transportation outside the capital city limits the Inspectorate's ability to conduct inspections in outlying districts.(14) Despite these challenges, the Labor Inspectorate significantly increased the number of labor inspections conducted during the year, compared with 2014.(22) If children are identified in child labor situations, inspectors may refer them to the Ministry of Social Solidarity (MSS) for support services.(1, 14, 26) During the reporting period, two labor inspectors attended refresher training courses on child labor and forced labor.(22)

### *Criminal Law Enforcement*

In 2015, criminal law enforcement agencies in Timor-Leste took actions to combat the worst forms of child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor**

| Overview of Criminal Law Enforcement  | 2014     | 2015     |
|---|----------|----------|
| Training for Investigators  |          |          |
| ■ Initial Training for New Employees  | No (22)  | No (22)  |
| ■ Training on New Laws Related to the Worst Forms of Child Labor                      | N/A      | N/A      |
| ■ Refresher Courses Provided  | No (22)  | Yes (9)  |
| Number of Investigations  | 1 (14)   | 0 (22)   |
| Number of Violations Found  | 0 (22)   | 0 (22)   |
| Number of Prosecutions Initiated  | 0 (14)   | 0 (22)   |
| Number of Convictions   | 0 (14)   | 0 (22)   |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (14) | Yes (22) |

In 2015, the Vulnerable Persons Unit of the Timor-Leste National Police (PNTL) had a staff of 89 investigators charged with the enforcement of criminal laws related to the worst forms of child labor.(22) During the reporting period, a local NGO provided government-funded human trafficking training for 152 members of the border police. Two members of the PNTL also participated in a course on human trafficking and child exploitation at the International Law Enforcement Academy in Bangkok, Thailand.(9) The overall budget for the PNTL was \$28 million, but research indicates that the agency continues to face challenges in carrying out investigations due to limited funding and human resources.(22)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

**Table 8. Mechanisms to Coordinate Government Efforts on Child Labor**

| Coordinating Body                              | Role & Description   |
|--|--|
| National Commission against Child Labor (NCCL) | Facilitate information sharing on child labor issues among government agencies and serve as the overall coordinating mechanism for filing and responding to child labor complaints.(14) Develop child labor policies, raise awareness, and contribute to efforts to ratify and implement international conventions related to child protection.(1) SEPFOPE will serve as the Technical Secretariat of NCCL for a 3-year term. Comprises representatives from 23 additional members, including the Ministries of Education, Agriculture, Finance, Justice, Health, Social Solidarity, and Public Works; Trade Unions Confederation; the Chamber of Commerce and Industry; and Eyes on Human Rights Forum (Tau Matan).(14) In 2015, conducted awareness-raising activities throughout the municipalities to educate employer, worker and civil society organizations and school directors on child labor and forced labor concepts and laws.(28) |

**Table 8. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

| Coordinating Body                          | Role & Description  |
|--|---|
| The Inter-Agency Trafficking Working Group | Coordinate the Government's efforts to combat human trafficking, develop a national action plan against human trafficking, and promote the development of comprehensive anti-trafficking legislation. Chaired by the Ministry of Justice, with participation from the Ministry of Foreign Affairs and Cooperation, the MSS, Ministry of Justice, the Ministry of Interior, the Secretary of State for the Promotion of Equality, SEPFOP, the PNTL, the Prosecutor General's Office, and the Public Defender's Office.(26) |

The Inter-Agency Trafficking Working Group was not active in 2015; however, at the end of the reporting period, consensus determined that the group would begin meeting again in 2016, chaired by the Ministry of Justice.(24, 25)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Timor-Leste has established policies related to child labor, including its worst forms (Table 9).

**Table 9. Policies Related to Child Labor**

| Policy  | Description  |
|---|--|
| Timor-Leste Project for the Elimination of the Worst Forms of Child Labor | Aims to strengthen implementation of ILO C. 182 by establishing the Child Labor Commission Working Group, developing a national list of work deemed hazardous and prohibited for children, and developing a national action plan against child labor. Launched in 2009 in partnership with the ILO and the Government of Brazil.(14)   |
| The Timor-Leste Strategic Development Plan (2011–2030)                    | Provides short-term and long-term plans for the nation's development, including the eradication of the worst forms of child labor, poverty alleviation, and implementation of social transfer programs. (1, 29) Specifies commitments to improve the educational system over the next 20 years, including addressing gender parity in primary schools and preventing school dropouts.(29, 30)                  |
| National Education Strategic Plan (2011–2030)*                            | Identifies three strategic priority areas for national education reform: (1) access, including enrollment and retention, (2) quality, and (3) management. Includes specific strategies and activities to promote equal access to 9 years of basic education for all children, including building and renovating schools and instituting social inclusion tools, especially to promote education for girls.(31) |
| Child and Family Welfare System Policy*                                   | Develops a framework to strengthen the social protection system for children and their families in Timor-Leste. Focuses on providing support services to children in vulnerable situations, including those living in poverty and those at risk of abuse, violence, neglect, or exploitation.(12, 32)  |

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

In 2015, the National Commission against Child Labor continued drafting the National Action Plan Against Child Labor, a process which has been ongoing since 2011. At the close of the reporting period, the Action Plan was not finalized.(8, 25, 33) In addition, the Council of Ministers did not approve the draft National Plan of Action on Trafficking in Persons during the reporting period.(8, 25, 26)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Timor-Leste funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

**Table 10. Social Programs to Address Child Labor**

| Program   | Description  |
|---|--|
| Global Action Program on Child Labor Issues Project | USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national government and develop strategic policies to address the elimination of child labor and forced labor in Timor-Leste.(34) In June 2015, held a workshop with relevant government agencies to initiate the design of a national child labor and forced labor survey.(21) |
| Child Labor Education and Outreach Program†         | The SEPFOP and the NCCL education and awareness-raising program targeted at children in five primary schools in Dili who have been identified as at risk for involvement in child labor.(14) In 2015, reached over 500 students in two municipalities outside Dili.(25)  |

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**Table 10. Social Programs to Address Child Labor (cont)**

| Program   | Description  |
|---|--|
| Services for street children†                       | Government-funded boarding house and support services for street children provided by the Youth Communication Forum. In 2015, assisted 26 children involved in child labor, primarily in the informal sector.(22)  |
| As-needed shelter for victims of human trafficking† | MSS-funded shelter operated by Psychosocial Recovery and Development in East Timor. Offers services for victims of human trafficking.(8, 26, 35)   |
| Anti-Trafficking Project*                           | \$600,000 USDOS-funded, 36-month project, implemented by the IOM to enhance human trafficking victim identification, protection, and referrals. Builds the capacity of government and civil society organizations for data collection, provision of psychosocial support, and understanding of human trafficking concepts.(36) |
| The Mother's Purse ( <i>Bolsa da Mãe</i> )†         | MSS program that provides an annual cash subsidy of \$60 to \$180 to poor families with a female head of household. Aims to improve the well-being of children by conditioning the subsidy on children's school attendance and their regular medical visits.(14, 37) In 2015, served 54,090 families.(22)                      |
| School Feeding Program†                             | Government program to provide one hot meal per day to children in school, reaching about 325,000 students.(1)  |

\* Program was launched during the reporting period.

† Program is funded by the Government of Timor-Leste.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Timor-Leste (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

| Area                | Suggested Action  | Year(s) Suggested |
|---------------------|---|-------------------|
| Legal Framework     | Ensure that the law protects children aged 17 from engagement in all the worst forms of child labor, including hazardous work, commercial sexual exploitation, involvement in illicit activities, and forced labor. | 2013 – 2015       |
|                     | Adopt the pending decree-law to specify the hazardous occupations and activities prohibited for children.   | 2012 – 2015       |
|                     | Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.  | 2015              |
| Enforcement         | Make information publicly available on the number of labor inspections conducted at worksites and those conducted by desk review.   | 2015              |
|                     | Increase the number of labor inspectors responsible for enforcing laws related to child labor to provide adequate coverage of the workforce.  | 2014 – 2015       |
|                     | Allocate resources to adequately conduct labor inspections and investigations throughout the country, especially outside of Dili.   | 2012 – 2015       |
|                     | Ensure that new investigators receive training on the worst forms of child labor at the beginning of their employment.  | 2015              |
| Coordination        | Ensure that mechanisms designed to coordinate government anti-trafficking activities are actively engaged in this effort.   | 2015              |
| Government Policies | Integrate child labor elimination and prevention strategies into existing policies.   | 2014 – 2015       |
|                     | Finalize the National Action Plan Against Child Labor.  | 2012 – 2015       |
|                     | Finalize the National Plan of Action on Trafficking in Persons.   | 2012 – 2015       |

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